

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

**AP 11 NORTH, LLC, *et al.*,**

**Plaintiffs,**

**v.**

**Civil Action No. 3:23cv287**

**CHARLES HARRIS, and,  
JUSTICE SMITH,**

**Defendants.**

**MEMORANDUM OPINION**

Defendants Charles Harris and Justice Smith ("Defendants"), appearing *pro se*, submitted Applications to Proceed in District Court Without Prepaying Fees or Costs ("IFP Application"), along with a proposed Notice of Removal to Federal Court. (ECF Nos. 1, 2, 1-1.) By Order entered on May 5, 2023, the Court directed Defendants, within thirty (30) days of the date of entry thereof, to either (i) remit the \$350.00 filing fee and \$52.00 administrative fee; or (ii) submit a clear and accurate IFP Application the Court for consideration. (ECF No. 3, at 2.) The Court warned Defendants that the failure to comply with the above directive would result in the dismissal of the action without prejudice. (ECF No. 3, at 2.)

More than thirty (30) days have elapsed since the entry of the May 5, 2023 Order and Defendants have not remitted the fees or submitted new IFP Applications. Accordingly, the action will be DISMISSED WITHOUT PREJUDICE.

An appropriate Order shall accompany this Memorandum Opinion.

Date: **7-6-2023**  
Richmond, Virginia

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/s/   
M. Hannah Lauck  
United States District Judge